STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR RESOURCES

OPERATING PERMIT

Motiva Enterprises LLC

PERMIT NO. RI-24-02

(Expiration date: October 29, 2007)

Pursuant to the provisions of Air Pollution Control Regulation No. 29, this operating permit is issued to:

Motiva Enterprises LLC
520 Allens Ave
Providence, RI 02905

This permit shall be effective from the date of its issuance. All terms and conditions of the permit are enforceable by EPA and citizens under the federal Clean Air Act, 42 U.S.C. 7401, et seq., unless specifically designated as not federally enforceable.

Stephen Majkut, Chief
Office of Air Resources

Date of issuance: 10/29/02

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SECTION I. SOURCE SPECIFIC CONDITIONS

A. Requirements for Emission Unit P001

The following requirements are applicable to:

- Emission unit P001, which is the loading rack, consisting of 10 lanes. Lanes 1 – 5 are primarily used to bottom load gasoline. Lanes 6 – 8 are used bottom load distillate oil. Lanes 9 and 10 are used for top loading distillate oil (there is no vapor recover on Lanes 9 and 10). The vapors generated from tank trucks during loading are collected and piped to air pollution control device C001, which is a John Zink Regenerable Carbon Adsorption Unit, Model No. SHAT-1800-909-9-6 (VRU).

1. Emission Limitations

a. Total organic compound emissions to the atmosphere from the vapor collection and processing system due to the loading of liquid product into gasoline tank trucks shall not exceed 10 mg/liter of product loaded. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(1)(a), 11.3.2.1(a), 40 CFR 63.422(b)]

2. Operating Requirements

a. P001 shall be equipped with a vapor collection and processing system designed to collect the total organic compounds vapors displaced from gasoline tank trucks during product loading and to reduce the quantity of displaced vapors prior to discharge to the atmosphere. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(a), 40 CFR 60.502(a)]

b. The total quantity of gasoline, excluding aviation gasoline, loaded into tank trucks shall not exceed 527,000,000 gallons in any 12-month period. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(b)]

(1) After the date T7547 is placed into gasoline service, the total quantity of gasoline, excluding aviation gasoline, loaded into tank trucks shall not exceed 504,000,000 gallons in any 12 month period. This condition shall replace Condition I.A.2.b of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(8)]

c. The total quantity of aviation gasoline loaded into tank trucks shall not exceed 5,000,000 gallons in any 12-month period. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(c)]

d. The total quantity of gasoline loaded into tank trucks in any four (4) hour period shall not exceed 594,000 gallons. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(d)]

e. The total quantity of distillate fuel oil loaded into tank trucks shall not exceed 298,000,000 gallons in any 12-month period. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(e)]

f. Any connecting pipe or hose from P001 to the gasoline tank truck and any vapor space connection on the gasoline tank truck shall be equipped with fittings which are vapor tight and will automatically and immediately close upon disconnection so as to prevent release of volatile organic materials to the best extent possible. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(f), 11.3.2.1(b-c)]

g. Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the procedures specified in Conditions I.A.2.g(1-5) of this permit. A vapor-tight gasoline truck is a tank truck which has demonstrated within the 12 preceding months that it meets the annual certification test requirements in Condition I.A.4.c of this permit and which is subject at all times to the test requirements in Conditions I.A.4.d, I.A.4.e and I.A.4.f of this permit and which displays a sticker near the Department of Transportation Certification plate that indicates the date the gasoline tank truck last passed the test required in Condition I.A.4.c of this permit and the identification number of the gasoline tank truck. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g), 40 CFR 60.502(e), 11.8.2.1(a), 11.8.2.1(b), 11.8.2.1(d)(1-3)]

(1) The permittee shall obtain the vapor tightness documentation described in Condition I.A.5.a(3) of this permit for each gasoline tank truck that is to be loaded. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(1), 40 CFR 60.502(e)(1)]

(2) The permittee shall require the tank identification number to be recorded as each gasoline tank truck is loaded. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(2), 40 CFR 60.502(e)(2)]

(3) The permittee shall crosscheck each tank identification number obtained above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(3), 40 CFR 60.502(e)(3)(i)]

(a) If less than an average of one gasoline tank truck per month

over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or [40 CFR 60.502(e)(3)(i)(A)]

(b) If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually. [40 CFR 60.502(e)(3)(i)(B)]

(4) If either the quarterly or semiannual cross-check provided in Conditions I.A.2.g(3)(a-b) of this permit reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met. [40 CFR 60.502(e)(3)(ii)]

(5) The permittee shall notify the owner/operator of each nonvapor-tight gasoline tank truck loaded at the facility within 1 weeks after the loading has occurred. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(4), 40 CFR 60.502(e)(4)]

(6) The permittee shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that gasoline tank truck is obtained which documents that: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(5), 40 CFR 63.422(c)(2), 40 CFR 60 (e)(5)]

(a) The gasoline tank truck meets the applicable test requirements in Condition I.A.4.c of this permit; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(5)(a), 40 CFR 63.422(c)(2)(i)]

(b) For each gasoline tank truck failing the test in Condition I.A.4.d or I.A.4.e of this permit at the facility, the tank truck either: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(g)(5)(b), 40 CFR 63.422(c)(2)(ii)]

(i) Before repair work is performed on the tank truck, meets the test requirements in Condition I.A.4.e or I.A.4.f of this permit, or [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(5)(b)(i), 40 CFR 63.422(c)(2)(ii)(A)]

(ii) After repair work is performed on the tank truck before or during the tests in Condition I.A.4.e or I.A.4.f of this permit, subsequently passes the annual

certification test described in Condition I.A.4.c of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(g)(5)(b)(ii), 40 CFR 63.422(c)(2)(ii)(B)]

h. The permittee shall act to assure that loadings of gasoline tank trucks at the facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(h), 40 CFR 60.502(f)]

i. The permittee shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at P001. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(i), 40 CFR 60.502(g)]

j. The vapor collection and liquid loading equipment shall be designed and operated to prevent:

(1) gauge pressure in the delivery tank from exceeding 4500 Pascal (450 mm of water) and a vacuum from exceeding 1500 Pascal (150 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in Condition I.A.4.b of this permit; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(j), 40 CFR 60.502(h), 11.3.2.1(a), 11.8.2.2(a)(1)]

(2) a reading equal to or greater than 100% of the lower explosive limit, LEL, measured as propane, at 2.5 centimeters from any potential leak source, when measured by the method referenced in Condition I.A.4.d of this permit, during the loading operations. [11.8.2.2(a)(2)]

(3) Visible leaks during loading. [11.8.2.2(a)(3)]

The permittee shall, within 15 days, repair and retest the vapor collection system if it exceeds the limits in Condition I.A.2.j(1) of this permit. [11.8.2.2(b)]

k. No pressure-vacuum vent in the vapor collection system shall begin to open at a system pressure less than 4500 Pascals (450 mm of water). [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(2)(k), 40 CFR 60.502(i)]

l. The permittee shall operate the vapor processing system in a manner not to

exceed the operating parameter value established using the procedures in I.A.4.a(2) of this permit. The operating parameter value was determined to be a hydrocarbon concentration of 11,000 ppmv, measured as propane, in the outlet exhaust of C001 (6-hour average) during testing conducted on 28 May 1998. Operation of the vapor processing system in a manner exceeding the operating parameter value, as specified above, shall constitute a violation of the emission standard in Condition I.A.1.a of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(4)(b), 63.427(b)]

m. There shall be no bypassing of C001 during times when VOC is being discharged to the device. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(11)]

n. C001 shall be operated and maintained according to its design specifications and in a manner consistent with good air pollution control practices for minimizing emissions when emission unit P001 is operating or emitting air contaminants. [16.1, 40 CFR 63.8(c)(1)]

o. In case of malfunction of C001, all reasonable measures shall be taken to assure resumption of the designed control efficiency as soon as possible. In the event that the malfunction of C001 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate P001 beyond that period, the Director shall be petitioned for a variance under Section 23-23-15 of the General Laws of Rhode Island, as amended. Such petition shall include but is not limited to, the following: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(1)(a-e)]

(1) Identification of the specific air pollution control system (i.e. C001) and the source on which it is installed (i.e. P001),

(2) The expected period of time that control system will be malfunctioning or out of service,

(3) The nature and quantity of air contaminants likely to be emitted during malfunction/down-time,

(4) Measures that will be taken to minimize the length of the malfunction/down-time, and

(5) The reasons it would be impossible or impractical to cease the source operation during malfunction/down-time. [16.2]

p. The permittee may seek to establish that a malfunction of C001 that would result in noncompliance with any of the terms in Section I.A of this permit or any other applicable air pollution control rules and regulations was due to unavoidable increases in emissions attributable to the malfunction. To do so,

the permittee must demonstrate to the Office of Air Resources that: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)]

(1) The malfunction was not attributable to improperly design of C001, lack of preventative maintenance, careless or improper operation, or operator error; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(a)]

(2) The malfunction was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(b)]

(3) Repairs necessary to bring C001 back to operating at its design control efficiency were performed in an expeditious fashion. Off-shift labor and overtime should be utilized, to the extent practicable, to ensure that such repairs were completed as expeditiously as practicable. Any parts or material needed should be shipped overnight where possible or practical. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(c)]

(4) All possible steps were taken to minimize emissions during the period of time that the repairs were performed. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(d)]

(5) Emissions during the period of time that the repairs were performed will not: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(e)]

   (a) Cause an increase in the ground level ambient concentration at or beyond the property line in excess of that allowed by Air Pollution Control Regulation No. 22 and any Calculated Acceptable Ambient Levels; and [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(e)(1)]

   (b) Cause or contribute to air pollution in violation of any applicable state or national ambient air quality standard. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(e)(2)]

(6) The reasons that it would be impossible or impractical to cease the source operation of P001 during said period. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(D)(2)(f)]

This demonstration must be provided to the Office of Air Resources, in writing, within two working days of the time when the malfunction occurred

and contain a description of the malfunction, any steps taken to minimize emissions and corrective actions taken.

The permittee shall have the burden of proof in seeking to establish that noncompliance was due to unavoidable increases in emissions attributable to the malfunction.

q. The permittee shall not allow gasoline to be discarded in sewers or stored in open containers or handled in any manner that would result in evaporation. [11.3.2.2(a)]

r. The permittee shall not allow the pressure in C001 to exceed the tank truck or trailer pressure relief settings. [11.3.2.2(b)]

s. All pumps and compressors handling gasoline shall have mechanical seals or other equipment for the purposes of air pollution control as approved by the Director and EPA. The seals or other equipment, when tested by a combustible gas detector at 2.5 centimeters from any potential leak points, shall give no reading of greater than 100% of the lower explosive limit, measured as propane. [11.3.2.3]

3. Monitoring Requirements

a. The permittee shall operate and maintain according to the manufacturer's specifications, a continuous emissions monitoring system (CEMS) capable of measuring organic compound concentration in the exhaust air stream of C001. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(4)(a), 40 CFR 63.427(a)(1)]

b. When required to conduct a performance evaluation of the CEMS, the permittee shall conduct the performance evaluation according to the applicable specifications and procedures in 40 CFR 63.8(e). [40 CFR 63.8(e)]

c. The permittee shall develop and implement a CEMS quality control program. As part of the quality control program, the permittee shall develop and submit to the Office of Air Resources and EPA, for approval, upon request, a site-specific performance evaluation test plan for the CEMS performance evaluation required in Condition I.A.3.b of this permit, according to the procedures specified in 40 CFR 63.8(e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

(1) Initial and any subsequent calibration of the CEMS;

(2) Determination and adjustment of the calibration drift of the CEMS;

(3) Preventive maintenance of the CEMS, including spare parts inventory;

(4) Data recording, calculations, and reporting;

(5) Accuracy audit procedures, including sampling and analysis methods; and

(6) Program of corrective action for a malfunctioning CEMS. [40 CFR 63.8(d)(2)]

d. Operation and Maintenance of the Continuous Monitoring Systems

(1) The CEMS shall be installed such that representative measurements of emissions or process parameters are obtained. In addition, the CEMS shall be located according to procedures contained in 40 CFR 60 Subpart A Appendix B Performance Specification 8. [40 CFR 63.8(c)(2)]

(2) The CEMS shall be operational, and the data verified in conjunction with conducting performance tests in Condition I.A.4.a(4) of this permit. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system. [40 CFR 63.8(c)(3)]

(3) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, the CEMS, shall be in continuous operation and shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. [40 CFR 63.8(c)(4)]

(4) The permittee shall check the zero (low-level) and high-level calibration drifts of the CEMS at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under Condition I.A.3.c of this permit. The zero (low-level) and high-level calibration drifts shall be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds 5 percent of the span value**.** The system must allow the amount of excess zero (low-level) and high-level drift measured at the 24-

hour interval checks to be recorded and quantified, whenever specified. [40 CFR 63.8(c)(6)]

(5) Out of Control Periods

(a) The CEMS is out of control if:

(i) The zero (low-level) or high-level calibration drift (CD) exceeds 5 percent of the span value or [40 CFR 63.8(c)(7)(i)(A)]

(ii) The CEMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; [40 CFR 63.8(c)(7)(i)(B)]

(b) When the CEMS is out of control, the permittee shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The permittee shall take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the permittee conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CEMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part. [40 CFR 63.8(c)(7)(ii)]

(6) The permittee shall ensure the immediate repair or replacement of CEMS parts to correct "routine" or otherwise predictable CEMS malfunctions as defined in the startup, shutdown, and malfunction plan required in Condition I.G.1.f of this permit. The permittee shall keep the necessary parts for routine repairs of the affected equipment readily available. [40 CFR 63.8(c)(1)(i)]

(7) The Office of Air Resources' or EPA's determination of whether acceptable operation and maintenance procedures are being used will be based on information that may include, but is not limited to, review of operation and maintenance procedures, operation and maintenance records, manufacturing recommendations and specifications, and inspection of the CEMS. Operation and maintenance procedures written by the CEMS manufacturer and other guidance also can be used to maintain and operate each

monitor. [40 CFR 63.8(c)(1)(iii)]

e. Monitoring data recorded during periods of unavoidable CEMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments shall not be included in any data average computed under this permit. For permittee complying with the requirements in Condition I.G.3.c.(7)(a) of this permit, data averages must include any data recorded during periods of monitor breakdown or malfunction. [40 CFR 63.8(g)(5)]

f. Each calendar month, C001 and P001 shall be inspected during loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. Detection methods incorporating sight, sound or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired with 15 calendar days after it is detected. [40 CFR 60.502(j)]

4. Testing Requirements

a. Carbon Adsorber

(1) Immediately before conducting any performance test required to determine compliance with Condition I.A.1.a or I.A.2.j(1) of this permit, the permittee shall use 40 CFR 60, Appendix A, Method 21 to monitor for leakage of vapor from all potential sources in the terminal's vapor collection system equipment while a gasoline tank truck is being loaded. The permittee shall repair all leaks with readings of 500 ppm (as methane) or greater before conducting the performance test. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(a)(8), 40 CFR 60.503(b), 40 CFR 63.425(a)]

(2) During the performance test the permittee shall determine a monitored operating parameter value for each vapor processing system using the following procedure: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(a)(9), 40 CFR 63.425(b)]

(a) During the performance test, continuously record the operating parameter for the continuous emission monitoring system required by Condition I.A.3.a of this permit; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(a)(9)(a), 40 CFR 63.425(b)(1)]

(b) Determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations; and [Approval Nos. 377,

838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(a)(9)(b), 40 CFR 63.425(b)(2)]

(c) Provide for the Office of Air Resource's approval, the rationale for the selected operating parameter value and monitoring frequency and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency and averaging time demonstrate continuous compliance with the emission standard in Condition I.A.1.a of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(a)(9)(c), 40 CFR 63.425(b)(3)]

(3) For performance tests performed after the initial test, the permittee shall document the reasons for any change in the operating parameter value since the previous performance test. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(a)(10)]

(4) The permittee shall determine compliance with the standards in Condition I.A.1.a of this permit using the test methods and procedures in 40 CFR 63.7, 40 CFR 60.503 and this section: [40 CFR 60.503(c), 11.3.5.1]

(a) The performance test shall be 6 hours long during which at least 300,000 liters of gasoline is loaded. If this is not possible, the test may be continued the same day until 300,000 liters of gasoline is loaded or the test may be resumed the next day with another complete 6-hour period. In the latter case, the 300,000-liter criterion need not be met. However, as much as possible, testing should be conducted during the 6-hour period in which the highest throughput normally occurs. [40 CFR 60.503(c)(1)]

(b) The emission rate (E) of total organic compounds shall be computed using the following equation: [40 CFR 60.503(c)(3)]

$$E = K \sum_{i-1}^{n} (V_{esi} C_{ei}) / (L\ 10^6)$$

where:

E = emission rate of total organic compounds, mg/liter of gasoline loaded.

V_{esi} = volume of air-vapor mixture exhausted at each interval ``i'', scm.

C_{ei} = concentration of total organic compounds at each interval ``i'", ppm.

L = total volume of gasoline loaded, liters.

n = number of testing intervals.

i = emission testing interval of 5 minutes.

K = density of calibration gas, $1.83x10^6$ for propane and $2.4x10^6$ for butane, mg/scm.

(c) The performance test shall be conducted in intervals of 5 minutes. For each interval ``i", readings from each measurement shall be recorded, and the volume exhausted (V_{esi}) and the corresponding average total organic compounds concentration (C_{ei}) shall be determined. The sampling system response time shall be considered in determining the average total organic compounds concentration corresponding to the volume exhausted. [40 CFR 60.503(c)(4)]

(d) The following methods shall be used to determine the volume (V_{esi}) air-vapor mixture exhausted at each interval: [40 CFR 60.503(c)(5)]

(1) Method 2A shall be used for C001. [40 CFR 60.503(c)(5)(i)]

(e) Method 25A or 25B shall be used for determining the total organic compounds concentration (C_{ei}) at each interval. The calibration gas shall be either propane or butane. The permittee may exclude the methane and ethane content in the exhaust vent by any method (e.g., Method 18) approved by the USEPA. [40 CFR 60.503(c)(6)]

(f) To determine the volume (L) of gasoline dispensed during the performance test period at all loading racks whose vapor emissions are controlled by the processing system being tested, terminal records or readings from gasoline dispensing meters at each loading rack shall be used. [40 CFR 60.503(c)(7)]

b. Vapor collection and liquid loading equipment

(1) The permittee shall determine compliance with the standard in Condition I.A.2.j of this permit as follows: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(b)(1)]

(a) A pressure measurement device (liquid manometer, magnehelic gauge or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ± 2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(b)(1)(a), 40 CFR 60.503(d)(1)]

(b) During any performance test, the pressure shall be recorded every 5 minutes while a gasoline tank truck is being loaded; the highest instantaneous pressure that occurs during each loading shall be recorded. Every loading position must be tested at least once during the performance test. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(b)(1)(b) 40 CFR 60.503(d)(2)]

c. Annual Certification Test for Gasoline Tank Trucks

The annual certification test for gasoline tank trucks shall consist of the following test methods and procedures: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(c), 63.425(e)]

(1) Method 27, appendix A, 40 CFR 60. Conduct the test using a time period (t) for the pressure and vacuum tests of 5 minutes. The initial pressure (P_i) for the pressure test shall be 460 mm H_2O (18 in. H_2O), gauge. The initial vacuum (V_i) for the vacuum test shall be 150 mm H_2O (6 in. H_2O), gauge. The maximum allowable pressure and vacuum changes (Δp, Δv) are as shown in the second column of Table 1. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(c)(1), 63.425(e)(1), 11.8.4.3]

TABLE 1. —ALLOWABLE CARGO TANK TEST PRESSURE OR VACUUM CHANGE

Cargo Tank or Compartment Capacity, liters (gal)	Annual Certification-Allowable Pressure or Vacuum Change (Δp, Δv) in 5 Minutes, mm H_2O (in. H_2O)	Allowable Pressure Change (Δp) in 5 Minutes at Any Time, mm H_2O (in. H_2O)
9,464 or more (2,500 or more)	25 (1.0)	64 (2.5)
9,463 to 5,678 (2,499 to 1,500)	38 (1.5)	76 (3.0)
5,679 to 3,785 (1,499 to 1,000)	51 (2.0)	89 (3.5)
3,782 or less (999 or less)	64 (2.5)	102 (4.0)

(2) Pressure test of the cargo tank's internal vapor valve as follows: . [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(c)(2), 40 CFR 63.425(e)(2)]

(a) After completing the tests in Condition I.A.4.c(1) of this permit, use the procedures in Method 27 to repressurize the tank to 460 mm H_2O (18 in. H_2O), gauge. Close the tank's internal vapor valve(s), thereby isolating the vapor return line and manifold from the tank. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(c)(2)(a), 40 CFR 63.425(e)(2)(i)]

(b) Relieve the pressure in the vapor return line to atmospheric pressure, then reseal the line. After 5 minutes, record the gauge pressure in the vapor return line and manifold. The maximum allowable 5-minute pressure increase is 130 mm H_2O (5 in. H_2O). [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(c)(2)(b), 40 CFR 63.425(e)(2)(ii)]

d. Leak detection test

(1) The leak detection test shall be performed using 40 CFR 60, Appendix A, Method 21, except omit section 4.3.2 of Method 21. A vapor-tight gasoline tank truck shall have no leaks at any time when tested according to the procedures in this condition. [Approval Nos.

377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(d)(1), 40 CFR 63.425(f), 11.8.4.4]

(2) The leak definition shall be 21,000 ppm as propane. Use propane to calibrate the instrument, setting the span at the leak definition. The response time to 90 percent of the final stable reading shall be less than 8 seconds for the detector with the sampling line and probe attached. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(d)(2), 40 CFR 63.425(f)(1)]

(3) In addition to the procedures in Method 21, include the following procedures: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(d)(3), 40 CFR 63.425(f)(2)]

(a) Perform the test on each compartment during loading of that compartment or while the compartment is still under pressure. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(d)(3)(a), 40 CFR 63.425(f)(2)(i)]

(b) To eliminate a positive instrument drift, the dwell time for each leak detection shall not exceed two times the instrument response time. Purge the instrument with ambient air between each leak detection. The duration of the purge shall be in excess of two instrument response times. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(d)(3)(b), 40 CFR 63.425(f)(2)(ii)]

(c) Attempt to block the wind from the area being monitored. Record the highest detector reading and location for each leak. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(d)(3)(c), 40 CFR 63.425(f)(2)(iii)]

e. Nitrogen pressure decay field test

For those cargo tanks with manifolded product lines, this test procedure shall be conducted on each compartment. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e), 40 CFR 63.425(g)]

(1) Record the cargo tank capacity. Upon completion of the loading operation, record the total volume loaded. Seal the cargo tank vapor collection system at the vapor coupler. The sealing apparatus shall have a pressure tap. Open the internal vapor valve(s) of the cargo tank and record the initial headspace pressure. Reduce or increase, as necessary, the initial headspace pressure to 460 mm H_2O (18.0 in. H_2O), gauge by releasing pressure or by adding commercial grade nitrogen gas from a high-pressure cylinder capable of maintaining a pressure of 2,000 psig. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e)(1), 40 CFR 63.425(g)(1)]

(a) The cylinder shall be equipped with a compatible two-stage regulator with a relief valve and a flow control metering valve. The flow rate of the nitrogen shall be no less than 2 cfm. The maximum allowable time to pressurize cargo tanks with headspace volumes of 1,000 gallons or less to the appropriate pressure is 4 minutes. For cargo tanks with a headspace of greater than 1,000 gallons, use as a maximum allowable time to pressurize 4 minutes or the result from the equation below, whichever is greater. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e)(1)(a), 40 CFR 63.425(g)(1)(i)]

$$T = V_h \times 0.004$$

where:

T = maximum allowable time to pressurize the cargo tank, min;

V_h = cargo tank headspace volume during testing, gal.

(2) It is recommended that after the cargo tank headspace pressure reaches approximately 460 mm H_2O (18 in. H_20), gauge, a fine adjust valve be used to adjust the headspace pressure to 460 mm H_2O (18.0 in. H_2O), gauge for the next 30 $\pm$ 5 seconds. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e)(2), 40 CFR 63.425(g)(2)]

(3) Reseal the cargo tank vapor collection system and record the headspace pressure after 1 minute. The measured headspace pressure after 1 minute shall be greater than the minimum allowable final headspace pressure (P_f) as calculated from the following equation: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e)(3), 40 CFR 63.425(g)(3)]

$$P_f = 18\left(\frac{18 - N}{18.0}\right)^{\left(\frac{V_s}{5(V_h)}\right)}$$

where:

P_f = minimum allowable final headspace pressure, in. H_2O, gauge;

V_s = total cargo tank shell capacity, gal;

V_h = cargo tank headspace volume after loading, gal;

18.0 = initial pressure at start of test, in. H_2O, gauge;

N = 5-minute continuous performance standard at any time from the third column of Table 2, inches H_2O.

(4) Conduct the internal vapor valve portion of this test by repressurizing the cargo tank headspace with nitrogen to 460 mm H_2O (18 in. H_2O), gauge. Close the internal vapor valve(s), wait for 30 $\pm$ 5 seconds, then relieve the pressure downstream of the vapor valve in the vapor collection system to atmospheric pressure. Wait 15 seconds, then reseal the vapor collection system. Measure and record the pressure every minute for 5 minutes. Within 5 seconds of the pressure measurement at the end of 5 minutes, open the vapor valve and record the headspace pressure as the "final pressure." [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e)(4), 40 CFR 63.425(g)(4)]

(5) If the decrease in pressure in the vapor collection system is less than at least one of the interval pressure change values in Table 2, or if the final pressure is equal to or greater than 20 percent of the 1-minute final headspace pressure determined in the test in Condition I.A.4.e(3) of this permit, then the cargo tank is considered to be a vapor-tight gasoline cargo tank. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(e)(5), 40 CFR 63.425(g)(5)]

TABLE 2. —PRESSURE CHANGE FOR INTERNAL VAPOR VALVE TEST

Time Interval	Interval Pressure Change, mm H_2O (in. H_2O)
After 1 minute	28 (1.1)
After 2 minutes	56 (2.2)
After 3 minutes	84 (3.3)
After 4 minutes	112 (4.4)
After 5 minutes	140 (5.5)

f. Continuous performance pressure decay test.

(1) The continuous performance pressure decay test shall be performed using 40 CFR 60, Appendix A, Method 27. Conduct only the positive pressure test using a time period (t) of 5 minutes. The initial pressure (P_i) shall be 460 mm H_2O (18 in. H_2O), gauge. The maximum allowable 5-minute pressure change (Δp) which shall be met at any time is shown in the third column of Table 1. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(3)(f)(1), 40 CFR 63.425(h)]

5. Recordkeeping Requirements

a. The permittee shall keep records of the test results for each gasoline tank truck loading at the facility as follows: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(a), 40 CFR 60.505(a), 63.428(b)]

(1) Annual certification testing performed under Condition I.A.4.c of this permit; and [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(a)(1), 40 CFR 63.428(b)(1)]

(2) Continuous performance testing performed at any time at that facility under Condition I.A.4.d, I.A.4.e and I.A.4.f of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(a)(2), 40 CFR 63.428(b)(2)]

(3) The documentation file shall be kept up-to-date for each gasoline tank truck loading at the facility. The documentation for each test shall include, as a minimum, the following information: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(a)(3), 40 CFR 60.505(b)(1-8), 63.428(b)(3)(i-vii)]

(a) Name of test:
Annual Certification Test—Method 27 [Condition A.4.c (1)],

Annual Certification Test—Internal Vapor Valve [Condition I.A.4.c(2)],
Leak Detection Test [Condition I.A.4.d],
Nitrogen Pressure Decay Field Test [Condition I.A.4.e], or
Continuous Performance Pressure Decay Test
[Condition I.A.4.f].

(b) Cargo tank owner's name and address.

(c) Cargo tank identification number.

(d) Test location and date.

(e) Tester name and signature.

(f) Witnessing inspector, if any: Name, signature, and affiliation.

(g) Vapor tightness repair: nature of repair work and when performed in relation to vapor tightness testing.

(h) Test results: pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument and leak definition.

b. The permittee shall keep an up-to-date, readily accessible record of the continuous emissions monitoring data required under Condition I.A.3.a of this permit. This record shall indicate the time intervals during which loadings of gasoline tank trucks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(c), 40 CFR 63.428(c)(1)]

c. The permittee shall maintain the following records for P001: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(d)(1-4)]

(1) Records of daily throughput quantities of gasoline, aviation gasoline, gasoline-additives, and distillate fuel oil. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(d)(1), 11.3.3.1(a)]

(2) Records of daily throughput quantities of distillate fuel oil that is top-loaded in to tank trucks. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(d)(2)]

(3) Records of the operating hours of the vapor recovery unit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(d)(3)]

(4) Records of both scheduled and unscheduled maintenance of the vapor processing system. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(A)(5)(d)(4), 11.3.3.1(b)]

d. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the following: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(c)]

(1) The total quantity of gasoline and aviation gasoline loaded into tank trucks for that month. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(c)(1)]

(2) The total quantity of distillate fuel oil loaded into tank trucks for that month. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(c)(2)]

The permittee shall keep records of this determination and provide such records to the Office of Air resources upon request.

e. The permittee shall maintain records of the occurrence and duration of any malfunction in the operation of P001; any malfunction of C001 or any periods during which a continuous monitoring system or monitoring device is inoperative. [40 CFR 60.7(b)]

6. Reporting Requirements

a. The permittee shall notify the Office of Air Resources in writing, within 15 days, whenever any of the following occurs: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(d)]

(1) The total quantity of gasoline, excluding aviation gasoline, loaded into tank trucks exceeds 527,000,000 gallons in any 12-month period. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(d)(1)]

(a) After the date T7547 is placed into gasoline service, the permittee shall notify the Office of Air Resources in writing, within 15 days, whenever the total quantity of gasoline, excluding aviation gasoline, loaded into tank trucks exceed 504,000,000 gallons in any 12-month period. This condition shall replace Condition I.A.6.a(1) of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(9)]

(2) The total quantity of aviation gasoline loaded into tank trucks exceeds 5,000,000 gallons in any 12-month period. [Approval Nos.

377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(d)(2)]

(3) The total quantity of gasoline loaded into tank trucks in any four (4) hour period exceeds 594,000 gallons. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(d)(3)]

(4) The total quantity of distillate fuel oil loaded into tank trucks exceeds 298,000,000 gallons in any 12-month period. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(d)(4)]

7. Other Requirements

a. The Director may, at any time, monitor a gasoline tank truck, vapor collection system or vapor processing system, by the methods referenced in Section I.A.4. of this permit, to confirm continuing compliance with the terms of Section I.A. of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(16)]

b. The emission standards set forth in Condition I.A.1.a shall apply at all times except during periods of startup, shutdown, and malfunction. [40 CFR 63.6(f)(1)]

B. Requirements for Emission Units T7132, T7488, T7489, T7549, T7651, T7652, T31641, T31726 and T7548

The following requirements are applicable to:

- Emission unit T7132, which is a 2,400,000 gallon Gasoline Storage Tank. T7132 is equipped with a Fixed Roof with Internal Floating Roof and Vapor Mounted Primary and Secondary Rim Seal.

- Emission units T7488 and T7489, each of which is a 1,300,000 gallon Gasoline Storage Tank. T7488 and T7489 are equipped with a Fixed Roof with Internal Floating Roof and Vapor Mounted Primary and Secondary Rim Seal.

- Emission unit T7549, which is a 2,600,000 gallon Gasoline Storage Tank. T7549 is equipped with a Fixed Roof with Internal Floating Roof and Vapor Mounted Primary and Secondary Rim Seal.

- Emission units T7651 and T7652, each of which is a 520,000 gallon Aviation Gasoline Storage Tank. T7651 and T7652 are equipped with a Fixed Roof with Internal Floating Roof and Mechanical shoe Primary and Vapor Mounted Secondary Rim Seal.

- Emission unit T31641, which is a 3,800,000 gallon Gasoline Storage Tank. T31641 is

equipped with a Fixed Roof with Internal Floating Roof and Mechanical shoe Primary and Vapor Mounted Secondary Rim Seal.

- Emission unit T31726, which is a 3,900,000 gallon Gasoline Storage Tank. T31726 is equipped with a Fixed Roof with Internal Floating Roof and Mechanical shoe Primary and Vapor Mounted Secondary Rim Seal.

- Emission unit T7548, which is a 2,700,000 gallon Gasoline Storage Tank. T7548 is equipped with a Fixed Roof with Internal Floating Roof and Mechanical shoe Primary and Vapor Mounted Secondary Rim Seal.

1. Operating Requirements

a. Emission units T7132, T7488, T7489, T7549, T7651, T7652, T31641, T31726 and T7548 shall be equipped with a fixed roof in combination with an internal floating roof and shall meet the following specifications: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(1)(a), 11.2.1.1(a)(1-3), 40 CFR 63.423(a), 11.2.1.1(a)]

(1) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside each tank. There shall be no accumulated liquid on the internal floating roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals, when the tanks are completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be accomplished as rapidly as possible. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(1)(a)(1), 40 CFR 63.423(a), 11.2.1.1(a)(1-2)]

(2) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the tanks and the edge of the internal floating roof: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(1)(a)(2), 40 CFR 63.423(a)]

(a) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of T7132, T7488, T7489 and/or T7549 and the edge of the internal floating roof. The lower seal may be vapor mounted, but both must be continuous. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(1)(a)(2)(a), 40 CFR 63.423(a), 11.2.1.1(a)(3)]

(b) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of T7651, T7652,

T31641, T31726 and T7548 by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(1)(a)(2)(b), 40 CFR 63.423(a), 11.2.1.1(a)(3)]

(3) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(1)(a)(3), 40 CFR 63.423(a), 11.2.1.1(d)]

2. Monitoring Requirements

a. The permittee shall visually inspect the internal floating roof, the primary seal, and the secondary seal, prior to filling the tanks with gasoline. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, the permittee shall repair the items before filling the tanks. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(a), 40 CFR 63.425(d), 11.2.1.1(c)]

b. Emission units T7651, T7652, T31641, T31726 and T7548 are either equipped with a mechanical shoe seal or a liquid-mounted primary seal, the permittee shall: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(b), 40 CFR 63.425(d)]

(1) conduct a visual inspection through manholes and roof hatches on the fixed roof, at least once every 12 months after initial fill, of the internal floating roof, the primary seal and the secondary seal (if one is in service; and [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(b)(1), 11.2.1.1(e), 40 CFR 63.425(d)]

(2) empty and degas T7651, T7652, T31641, T31726 and/or T7548 at least every 10 years and conduct a visual inspection of the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(b)(2), 11.2.1.1(f)]

c. Emission units T7132, T7488, T7489 and T7549 are equipped with a double-seal system as specified in Condition I.B.1.a(2)(b) of this permit, the permittee shall: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(c), 40 CFR 63.425(d)]

(1) conduct a visual inspection through manholes and roof hatches on the fixed roof, at least once every 12 months after initial fill, of the

internal floating roof, the primary seal and the secondary seal (if one is in service) and empty and degas Emission units T7132, T7488, T7489 and/or T7549 at least every 10 years and conduct a visual inspection of the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals; or [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(c)(1), 40 CFR 63.425(d), 11.2.1.1(e-f)]

(2) empty and degas emission units T7132, T7488, T7489 and/or T7549 at least every 5 years and conduct a visual inspection of the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(c)(2), 40 CFR 63.425(d), 11.2.1.1(f)]

d. If, during the visual inspection through manholes and roof hatches, the internal floating roof is not resting on the liquid surface, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the permittee shall repair the items or empty and remove each tank from service within 45 days. If a failure that is detected during the above inspection cannot be repaired within 45 days and if the tanks cannot be emptied within 45 days, a 30-day extension may be requested from the Office of Air Resources in the inspection report required in Condition I.B.4.b of this permit. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the tanks will be emptied as soon as possible. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(d), 40 CFR 63.425(d)]

e. If, during the visual inspection when each tank is emptied and degassed, the internal floating roof has defects, the primary seal or secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere or the slotted membrane has more than 10 percent open area, the permittee shall repair the items as necessary so that none of the conditions specified this paragraph exist before refilling the tanks with gasoline. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(2)(e), 40 CFR 63.425(d)]

3. Recordkeeping Requirements

a. The permittee shall maintain records of each inspection performed as

required by Condition I.B.2.(a-e) of this permit. Each record shall contain; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(a), 40 CFR 63.428(d), 11.2.2.1(a)]

(1) The identity of each tank; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(a)(1), 40 CFR 63.428(d)]

(2) The date each tank was inspected; and [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(a)(2), 40 CFR 63.428(d)]

(3) The observed condition of each component of the control equipment (seals, internal floating roof, and fittings). [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(a)(3), 40 CFR 63.428(d)]

b. The permittee shall maintain the following records for each tank: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(b), 40 CFR 63.427(c), 11.2.2.1(b)]

(1) Records showing the dimensions of each tank and an analysis showing the capacity of each tank; [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(b)(1), 40 CFR 63.427(c)]

(2) The VOL stored, the period of storage and the maximum true vapor pressure of that VOL during the respective storage period for each tank. Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored VOL may be used to determine the maximum true vapor pressure from nomographs in API Bulletin 2517, unless the Office of Air Resources specifically requests that the liquid be sampled, the actual storage temperature determined and the Reid vapor pressure determined from the sample(s); and [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(b)(2), 40 CFR 63.427(c)]

(3) The monthly throughput for each tank or each product stored. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(3)(b)(3)]

(4) Records for both scheduled and unscheduled maintenance. [11.2.2.1(c)]

c. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the total quantity of gasoline and aviation gasoline loaded into the gasoline storage tanks for that month. The permittee shall

keep records of this determination and provide such records to the Office of Air Resources upon request. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(c)(3)]

4. Reporting Requirements

a. If any of the conditions described in Condition I.B.2.d of this permit are detected during the annual visual inspection, a report shall be furnished to the Office of Air Resources within 30 days of the inspection. Each report shall contain: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(4)(a), 40 CFR 63.428(d), 40 CFR 63.428(g)(2)]

(1) The identity of each tank;

(2) The nature of the defect(s); and,

(3) The date each tank was emptied or the nature of and date the repair was made.

b. If any of the conditions described in Condition I.B.2.e of this permit are detected during the visual inspection when each tank is emptied and degassed, a report shall be furnished to the Office of Air Resources within 30 days of the inspection. The report shall include: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(B)(4)(b), 40 CFR 63.428(d), 40 CFR 63.428(g)(2)]

(1) The identity of each tank;

(2) The nature of any defects identified; and,

(3) A list of each repair made.

c. The permittee shall notify the Office of Air Resources, in writing at least 60 days prior to the filling or refilling of each tank following emptying and degassing, to afford the Office of Air Resources the opportunity to inspect each tank prior to refilling. If the emptying and degassing of each tank is not planned and the permittee could not have known about the emptying and degassing 60 days in advance of refilling the tank(s), the permittee shall notify the Office of Air Resources at least 7 days prior to the refilling of each tank. Notification shall be made by telephone immediately followed by written documentation demonstrating why the emptying and degassing was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Office of Air Resources at least 7 days prior to the refilling. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601 (B)(2)(f), 40 CFR 63.425(d)]

C. Requirements for Emission Units: T001, T002, T003, T005, T006, T007, T008, T7547, T1906, T3344, T3620, T7494, T7521, T7565 and T7591

The following Requirements are applicable to:

- Emission unit T001, which is a 3,279,374 gallon Petroleum Liquid Storage Tank. T001 is equipped with a Vertical Fixed Roof.
- Emission unit T002, which is a 10,206,262 gallon Petroleum Liquid Storage Tank. T002 is equipped with a Vertical Fixed Roof.
- Emission unit T003, which is a 6,185,687 gallon Petroleum Liquid Storage Tank. T003 is equipped with a Vertical Fixed Roof.
- Emission units T005 which is a 1,039,463 gallon Petroleum Liquid Storage Tank. T005 is equipped with a Vertical Fixed Roof.
- Emission unit T006, which is a 961,410 gallon Petroleum Liquid Storage Tank. T006 is equipped with a Vertical Fixed Roof.
- Emission unit T007, which is a 1,061,084 gallon Petroleum Liquid Storage Tank. T007 is equipped with a Vertical Fixed Roof.
- Emission unit T008, which is a 1,065,991 gallon Petroleum Liquid Storage Tank. T008 is equipped with a Vertical Fixed Roof.
- Emission unit T7547, which is a 2,731,244 gallon Petroleum Liquid Storage Tank. T7547 is equipped with a Vertical Fixed Roof.
- Emission unit T1906, which is a 2,018,362 gallon Petroleum Liquid Storage Tank. T1906 is equipped with a Vertical Fixed Roof.
- Emission unit T3344, which is a 2,205,137 gallon Petroleum Liquid Storage Tank. T3344 is equipped with a Vertical Fixed Roof.
- Emission unit T3620, which is a 2,538,009 gallon Petroleum Liquid Storage Tank. T3620 is equipped with a Vertical Fixed Roof.
- Emission unit T7494, which is a 1,207,873 gallon Petroleum Liquid Storage Tank. T7494 is equipped with a Vertical Fixed Roof.
- Emission unit T7521, which is a 4,728,215 gallon Petroleum Liquid Storage Tank. T7521 is equipped with a Vertical Fixed Roof.

- Emission unit T7565, which is a 1,977,252 gallon Petroleum Liquid Storage Tank. T7565 is equipped with a Vertical Fixed Roof.

- Emission unit T7591, which is a 2,008,535 gallon Petroleum Liquid Storage Tank. T7591 is equipped with a Vertical Fixed Roof.

1. Record Keeping Requirements

a. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the total quantity of distillate fuel oil loaded into the distillate fuel oil storage tanks for that month. The permittee shall keep records of this determination and provide such records to the Office of Air Resources upon request. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(c)(4)]

D. Requirements for Emission Unit P002

The following Requirements are applicable to:

- Emission unit P002, which is a marine vessel loading dock. The loading dock is used to load distillates into barges and ships for transport.

1. Other Requirements

a. Effective 1 January 1996, the permittee shall not conduct any loading event in which gasoline, gasoline-blending stocks, aviation gas or aviation fuel that contains gasoline is loaded into marine tank vessels. Additionally, the permittee shall not conduct any loading events in which any liquid is loaded into a marine vessel's cargo tanks if the most recent cargo held in those tanks was gasoline, gasoline blending stocks, aviation gas or aviation fuel which contains gasoline. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(10)]

As the term is used in this condition, "loading event" shall mean an incident or occurrence beginning with the connecting of marine terminal storage tanks to a marine tank vessel by means of pipes or hoses followed by the transferring of organic liquid cargo and ending with the disconnecting of the pipes or hoses; or any means of admitting any other liquid into a marine vessel's cargo tanks. Loading events shall include only such incidents that occur when a marine tank vessel is moored to a dock or other permanent stationary structure.

E. Requirements for Emission Unit: T2213

The following Requirements are applicable to:

- Emission unit T2213, which is a 16,842 gallon Additive Storage Tank. T2213 is equipped with a Horizontal Fixed Roof.

1. Recordkeeping Requirements

a. The permittee shall keep readily accessible records showing the dimension of T2213 and an analysis showing the capacity of T2213. [40 CFR 60.116b(b)]

b. The permittee shall maintain the records specified in Condition I.E.1.a of this permit for the life of the source. [40 CFR 60.116b(a)]

F. Requirements for Emission Unit: B001

The following requirements are applicable to:

- Emission unit B001, which is a 1.47 MMBTU/hr Burnham Boiler, Model No. RI 3052, which burns No. 2 fuel oil.

1. Emission Limitations

a. Particulates

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1]

b. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

c. Sulfur Oxides

Unless the Director declares in writing after hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0%. [8.2]

2. Testing Requirements

a. Particulates

Compliance with the particulate emissions limitations contained in Condition I.F.1.a of this permit, shall be determined by emission testing conducted by the permittee according to Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

(1) Specifies or approves, in a specific case, the use of reference method with minor changes in methodology; or

(2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or

(3) Finds that the permittee has demonstrated by other means to the Director's and USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and USEPA may determine that an emissions unit is or is not in compliance with the emission limitations of Condition I.F.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

b. Opacity

Test for determining compliance with the opacity emissions limitations specified in Condition I.F.1.b of this permit shall be performed as per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

c. Sulfur Oxides

Compliance with the sulfur limitations contained in Condition I.F.1.c of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit.

G. Facility Requirements

1. Operating Requirements

a. The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(1)(a)(1-4), 40 CFR 63.424(g)(1-4)]

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers with a gasketed seal when not in use;

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

b. At all times, including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain this source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this permit. [40 CFR 60.11(d), 63.6(e)(1)(i)]

c. Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the permittee's startup, shutdown, and malfunction plan. [40 CFR 63.6(e)(1)(ii)]

d. Operation and maintenance requirements established in this permit are enforceable independent of emissions limitations or other requirements. [40 CFR 63.6(e)(1)(iii)]

e. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Office of Air Resources or EPA which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan), review of operation and maintenance records, and inspection of the source. [40 CFR 63.6(e)(2)]

f. Startup, Shutdown and Malfunction Plan

(1) The permittee shall develop and implement a written startup,

shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with this permit. [40 CFR 63.6(e)(3)(i)]

(2) The plan shall identify all routine or otherwise predictable CEMS malfunctions. This plan shall be developed by the permittee by the source's compliance date for that relevant standard. The plan is incorporated by reference into this permit. [40 CFR 63.6(e)(3)(i)]

(3) The purpose of the startup, shutdown, and malfunction plan is to --

(a) Ensure that, at all times, the permittee operates and maintains the source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this permit; [40 CFR 63.6(e)(3)(i)(A)]

(b) Ensure that the permittee is prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and [40 CFR 63.6(e)(3)(i)(B)]

(c) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation). [40 CFR 63.6(e)(3)(i)(C)]

(4) During periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the source (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan. [40 CFR 63.6(e)(3)(ii)]

(5) To satisfy the requirements of this permit to develop a startup, shutdown, and malfunction plan, the permittee may use the source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of

this section and are made available for inspection when requested by the Office of Air Resources or EPA. [40 CFR 63.6(e)(3)(vi)]

(6) Based on the results of a determination made under Condition I.G.1.e of this permit, the Office of Air Resources may require that the permittee make changes to the startup, shutdown, and malfunction plan. The Office of Air Resources may require reasonable revisions to a startup, shutdown, and malfunction plan, if it finds that the plan: [40 CFR 63.6(e)(3)(vii)]

(a) Does not address a startup, shutdown, or malfunction event that has occurred; [40 CFR 63.6(e)(3)(vii)(A)]

(b) Fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this permit; or [40 CFR 63.6(e)(3)(vii)(B)]

(c) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable. [40 CFR 63.6(e)(3)(vii)(C)]

(7) If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the permittee developed the plan, the permittee shall revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment. [40 CFR 63.6(e)(3)(viii)]

2. Monitoring Requirements

a. The permittee shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(2)(a), 40 CFR 63.424(a)]

b. A log book shall be used and shall be signed by the permittee at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in

gasoline service at the facility. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(2)(b), 40 CFR 63.424(b)]

c. Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in Condition I.G.2.d. of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(2)(c), 40 CFR 63.424(c)]

d. Delay of repair of leaking equipment will be allowed upon a demonstration to the Office of Air Resources that repair within 15 days is not feasible. The permittee shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(2)(d), 40 CFR 63.424(d)]

e. As an alternative to compliance with the provisions in Conditions I.G.2.a-d of this permit, the permittee may implement an instrument leak-monitoring program that has been demonstrated to the Office of Air Resources as at least equivalent. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(2)(e), 40 CFR 63.424(f)]

3. Recordkeeping Requirements

a. The permittee, to comply with the provisions of Condition I.G.2.a-d shall record the following information in the logbook for each leak that is detected: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a), 40 CFR 63.428(e), 40 CFR 60.505(c)]

(1) The equipment type and identification number, [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(1), 40 CFR 63.428(e)(1)]

(2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell), [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(2), 40 CFR 63.428(e)(2)]

(3) The date the leak was detected and the date of each attempt to repair the leak, [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(3), 40 CFR 63.428(e)(3)]

(4) Repair methods applied in each attempt to repair the leak, [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(4), 40 CFR 63.428(e)(4)]

(5) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak, [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(5), 40 CFR 63.428(e)(5)]

(6) The expected date of successful repair of the leak if the leak is not repaired within 15 days, and[Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(6), 40 CFR 63.428(e)(6)]

(7) The date of successful repair of the leak. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(a)(7), 40 CFR 63.428(e)(7)]

b. The permittee shall maintain, for the facility, records of monthly throughput quantities of gasoline, gasoline-additives and distillate fuel oil. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(3)(b)]

c. The permittee shall maintain records of:

(1) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment); [40 CFR 63.10(b)(2)(i); 40 CFR 63.6(e)(3)(iii)]

(2) The occurrence and duration of each malfunction of the air pollution control equipment; [40 CFR 63.10(b)(2)(ii); 40 CFR 63.6(e)(3)(iii)]

(3) All maintenance performed on the air pollution control equipment; [40 CFR 63.10(b)(2)(iii)]

(4) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the startup, shutdown, and malfunction plan; [40 CFR 63.10(b)(2)(iv); 40 CFR 63.6(e)(3)(iv)]

(5) All information necessary to demonstrate conformance with the startup, shutdown, and malfunction plan when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using

a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events); [40 CFR 63.10(b)(2)(v); 40 CFR 63.6(e)(3)(iii)]

(6) Each period during which the CEMS is malfunctioning or inoperative (including out-of-control periods); [40 CFR 63.10(b)(2)(vi)]

(7) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CEMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report); [40 CFR 63.10(b)(2)(vii)]

(a) In lieu of maintaining a file of all CEMS subhourly measurements as required under Condition I.G.3.c(7) of this permit, the permittee shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard. [40 CFR 63.10(b)(2)(vii)(A)]

(b) The Office of Air Resources or EPA, upon notification to the permittee, may require the permittee to maintain all measurements as required by Condition I.G.3.c(7) of this permit, if the Office of Air Resources or EPA determines these records are required to more accurately assess the compliance status of the affected source. [40 CFR 63.10(b)(2)(vii)(C)]

(8) All results of performance tests and CEMS performance evaluations; [40 CFR 63.10(b)(2)(viii)]

(9) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations; [40 CFR 63.10(b)(2)(ix)]

(10) All CEMS calibration checks; [40 CFR 63.10(b)(2)(x)]

(11) All adjustments and maintenance performed on the CEMS; [40 CFR 63.10(b)(2)(xi)]

(12) All documentation supporting initial notifications and notifications of compliance status under 40 CFR Part 63.9. [40 CFR 63.10(b)(2)(xiv)]

d. The permittee shall maintain the following records for the CEMS:

(1) All required CEMS measurements (including monitoring data recorded during unavoidable CEMS breakdowns and out-of-control periods); [40 CFR 63.10(c)(1)]

(2) The date and time identifying each period during which the CEMS was inoperative except for zero (low-level) and high-level checks; [40 CFR 63.10(c)(5)]

(3) The date and time identifying each period during which the CEMS was out of control, as defined in Condition I.A.3.d(5) of this permit; [40 CFR 63.10(c)(6)]

(4) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances that occurs during startups, shutdowns, and malfunctions of the source; [40 CFR 63.10(c)(7)]

(5) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances that occurs during periods other than startups, shutdowns, and malfunctions of the source; [40 CFR 63.10(c)(8)]

(6) The nature and cause of any malfunction (if known); [40 CFR 63.10(c)(10)]

(7) The corrective action taken or preventive measures adopted; [40 CFR 63.10(c)(11)]

(8) The nature of the repairs or adjustments to the CEMS that was inoperative or out of control; [40 CFR 63.10(c)(12)]

(9) The total process operating time during the reporting period; [40 CFR 63.10(c)(13)]

(10) All procedures that are part of a quality control program developed and implemented for CMS under Condition I.A.3.c of this permit; [40 CFR 63.10(c)(14)]

(11) In order to satisfy the requirements of Conditions I.G.3.d(6-8) of this permit and to avoid duplicative recordkeeping efforts, the permittee may use the startup, shutdown, and malfunction plan or

records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan, specified in Section I.G.1.f of this permit, provided that such plan and records adequately address the requirements in Conditions I.G.3.d(6-8) of this permit. [40 CFR 63.10(c)(15)]

e. The permittee shall keep the written startup, shutdown, and malfunction plan on record after it is developed to be made available for inspection, upon request, by the Office of Air Resources or EPA for the life of the source or until the source is no longer subject to 40 CFR 63. In addition, if the startup, shutdown, and malfunction plan is revised, the permittee shall keep previous (i.e., superseded) versions of the startup, shutdown, and malfunction plan on record, to be made available for inspection, upon request, by the Office of Air Resources or EPA, for a period of 5 years after each revision to the plan. [40 CFR 63.6(e)(3)(vi)]

4. Reporting Requirements

a. The permittee shall include in a semiannual report to the Office of Air Resources the following information: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(b), 40 CFR 63.428(g)]

(1) Each loading of a gasoline tank truck for which vapor tightness documentation had not been previously obtained by the facility, [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(b)(1), 40 CFR 63.428(g)(1)]

(2) The number of equipment leaks not repaired within 5 days after detection. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(b)(2), 40 CFR 63.428(g)(3)]

b. The permittee shall notify the Office of Air Resources, in writing, after an exceedance of any emission limitation is discovered. This notification shall be made within five (5) days of the exceedance. Notification shall be made on forms furnished by the Office of Air Resources and must provide all of the information requested on the form. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(e)]

c. The permittee shall notify the Office of Air Resources of any record showing noncompliance with the terms of this permit or any other air pollution control rule or regulation applicable to the facility by sending a copy of the record to the Office of Air Resources within 30 days following the

occurrence. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(f)]

d. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of this permit or any other applicable air pollution control rules and regulations. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(g)]

e. Startup, shutdown, and malfunction reports.

(1) If actions taken by the permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the startup, shutdown, and malfunction plan, the permittee shall state such information in a startup, shutdown, and malfunction report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. [40 CFR 63.10(d)(5)(i)]

(2) The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Office of Air Resources semiannually. [40 CFR 63.10(d)(5)(i)]

(3) The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). [40 CFR 63.10(d)(5)(i)]

(4) The startup, shutdown, and malfunction reports may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the permittee receives approval to reduce the frequency of reporting for the latter under 40 CFR 63.10(e)(3), the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Office of Air Resources and the EPA do not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in 40 CFR 63.10(e)(3). [40 CFR 63.10(d)(5)(i)]

f. Any time an action taken by the permittee during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the source's startup, shutdown, and malfunction plan, the permittee shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the

event. The immediate report required under this paragraph shall consist of a telephone call (or facsimile (FAX) transmission) to the Office of Air Resources within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred. [40 CFR 63.10(d)(5)(ii); 40 CFR 63.6(e)(3)(iv)]

g. Excess Emissions and Continuous Monitoring System Performance Reports and Summary Reports

(1) The permittee shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Office of Air Resources semiannually, except when the Office of Air Resources or EPA determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; [40 CFR 63.10(e)(3)(i)]

(2) Requests to reduce the frequency of excess emissions and continuous monitoring system performance reports shall follow the procedures in 40 CFR 63.10(e)(3)(ii)-(iv). [40 CFR 63.10(e)(3)(ii)-(iv)]

(3) All excess emissions and continuous monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). [40 CFR 63.10(e)(3)(v)]

(4) All excess emissions and continuous monitoring system performance reports shall contain:

(a) The name, title, and signature of the responsible official who is certifying the accuracy of the report. [40 CFR 63.10(e)(3)(v)]

(b) When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be

stated in the report. [40 CFR 63.10(e)(3)(v)]

(c) The date and time identifying each period during which the CEMS was inoperative except for zero (low-level) and high-level checks; [40 CFR 63.10(c)(5); 40 CFR 63.10(e)(3)(v)]

(d) All information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken; [40 CFR 63.10(c)(6); 40 CFR 63.8(c)(8); 40 CFR 63.10(e)(3)(v)]

(e) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances that occurs during startups, shutdowns, and malfunctions of the source; [40 CFR 63.10(c)(7); 40 CFR 63.10(e)(3)(v)]

(f) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances that occurs during periods other than startups, shutdowns, and malfunctions of the source; [40 CFR 63.10(c)(8); 40 CFR 63.10(e)(3)(v)]

(g) The nature and cause of any malfunction (if known); [40 CFR 63.10(c)(10); 40 CFR 63.10(e)(3)(v)]

(h) The corrective action taken or preventive measures adopted; [40 CFR 63.10(c)(11); 40 CFR 63.10(e)(3)(v)]

(i) The nature of the repairs or adjustments to the CEMS that was inoperative or out of control; [40 CFR 63.10(c)(12); 40 CFR 63.10(e)(3)(v)]

(j) The total process operating time during the reporting period; [40 CFR 63.10(c)(13); 40 CFR 63.10(e)(3)(v)]

(k) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under Condition I.A.4.a(2) of this permit. The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing system or the CEMS. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and

1600-1601(C)(4)(c)(1), 40 CFR 63.428(h)(1), 40 CFR 63.10(e)(3)(v)]

(l) Each instance of a nonvapor-tight gasoline tank truck loading at the facility in which the permittee failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(c)(2), 40 CFR 63.428(h)(2), 40 CFR 63.10(e)(3)(v)]

(m) Each reloading of a nonvapor-tight gasoline tank truck at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with Condition I.A.2.g(6) of this permit [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(c)(3), 40 CFR 63.428(h)(3), 40 CFR 63.10(e)(3)(v)]

(n) For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(c)(4), 40 CFR 63.428(h)(4), 40 CFR 63.10(e)(3)(v)]

(1) The date on which the leak was detected,

(2) The date of each attempt to repair the leak,

(3) The reasons for the delay of repair, and

(4) The date of successful repair.

(5) All summary reports shall be entitled "Summary Report -- Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:

(a) The company name and address; [40 CFR 63.10(e)(3)(vi)(A)]

(b) An identification of each hazardous air pollutant monitored at the source; [40 CFR 63.10(e)(3)(vi)(B)]

(c) The beginning and ending dates of the reporting period; [40 CFR 63.10(e)(3)(vi)(C)]

(d) A brief description of the process units; [40 CFR 63.10(e)(3)(vi)(D)]

(e) The emission and operating parameter limitations; [40 CFR 63.10(e)(3)(vi)(E)]

(f) The monitoring equipment manufacturer(s) and model number(s); [40 CFR 63.10(e)(3)(vi)(F)]

(g) The date of the latest CEMS certification or audit; [40 CFR 63.10(e)(3)(vi)(G)]

(h) The total operating time of the source during the reporting period; [40 CFR 63.10(e)(3)(vi)(H)]

(i) An emission data summary and a similar summary for control system operating parameters, including the total duration of excess emissions during the reporting period (recorded in hours), the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes; [40 CFR 63.10(e)(3)(vi)(I)]

(j) A CEMS performance summary, including the total CEMS downtime during the reporting period (recorded in hours), the total duration of CEMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CEMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes; [40 CFR 63.10(e)(3)(vi)(J)]

(k) A description of any changes in CEMS, processes, or controls since the last reporting period; [40 CFR 63.10(e)(3)(vi)(K)]

(l) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and [40 CFR 63.10(e)(3)(vi)(L)]

(m) The date of the report. [40 CFR 63.10(e)(3)(vi)(M)]

(6) If the total duration of excess emissions or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, and CEMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Office of Air Resources. [40 CFR 63.10(e)(3)(vii)]

(7) If the total duration of excess emissions or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CEMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted. [40 CFR 63.10(e)(3)(viii)]

h. For those malfunctions or other events that affect the CEMS and are not addressed by the startup, shutdown, and malfunction plan, the permittee shall report actions that are not consistent with the startup, shutdown, and malfunction plan within 24 hours after commencing actions inconsistent with the plan. The permittee shall send a follow-up report within 2 weeks after commencing actions inconsistent with the plan that either certifies that corrections have been made or includes a corrective action plan and schedule. The permittee shall provide proof that repair parts have been ordered or any other records that would indicate that the delay in making repairs is beyond his or her control. [40 CFR 63.8(c)(1)(ii)]

i. If the startup, shutdown, and malfunction plan is followed and the CEMS repaired immediately, this action shall be reported in the semiannual startup, shutdown, and malfunction report required in Condition I.G.4.g(1-4). [40 CFR 63.8(c)(1)(i)]

j. The permittee shall furnish the Office of Air Resources a copy of a written report of the results of the CEMS performance evaluation simultaneously with the results of any performance test required under 40 CFR Part 63.7. [40 CFR 63.10(e)(2)(i)]

5. Other Requirements

a. To the extent consistent with the requirements of Section I.G. of this permit

and applicable Federal and State laws, the facility shall be designed, constructed, and operated in accordance with the representation of the facility in the permit application. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(1)]

b. The facility is subject to the requirements of the Office of Air Resource's Air Pollution Control Regulation No. 11 "Petroleum Liquids Marketing and Storage". If there is any conflict between any term or condition of this permit and the applicable provisions of APC Regulation No. 11, the permittee shall comply with the term or condition of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(2)]

c. The facility is subject to the requirements of the following Federal National Emission Standards for Hazardous Air Pollutants for Source Categories: [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(3)]

(1) 40 CFR 63.1 - 15, Subpart A, "General Provisions", as indicated in Table 1 to Subpart R of 40 CFR 63. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(3)(a)]

(2) 40 CFR 63.420 - 429, Subpart R, "National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)". [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(3)(b)]

d. Work to begin modification of T7547 shall commence by 24 October 2002. If modification of T7547 does not commence by 24 October 2002, then the approval to modify T7547 is revoked. The permittee shall re-apply for approval to modify T7547 if the modification of T7547 does not commence by 24 October 2002. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(4)]

e. The permittee shall provide the Office of Air Resources written notification of the date work begins to modify T7547 to comply with the requirements of Condition I.B.1.a(2) of this permit no later than 30 days after such date. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(5)]

f. The permittee shall provide the Office of Air Resources written notification of the anticipated date T7547 will go into gasoline service in compliance with the requirements of Condition I.B.1.a(2) of this permit no more than 60 days nor less than 30 days prior to such date. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(6)]

g. The facility is subject to the requirements of the following Federal New Source Performance Standards:

(1) 40 CFR 60 Subpart A "General Provisions"

(2) 40 CFR 60.500 Subpart XX "Standards of Performance for Bulk Gasoline Terminals"

Compliance with all applicable provisions therein is required, unless otherwise stated in this permit.

h. Except as provided in Condition I.G.5.i of this permit the permittee shall not store, sell or supply as fuel, at or from this facility, a gasoline having a Reid Vapor Pressure greater than 9.0 pounds per square inch, during the period of 1 May through 15 September of each year. Sampling and testing of gasoline shall be in accordance with ASTM Method D323-82 or any equivalent method approved by the Office of Air Resources and EPA. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(13), 11.7.1, 11.7.3]

i. The permittee shall not store, sell or supply as fuel, at or from this facility, a gasoline - ethanol blend (containing at least 9% ethanol) having a Reid Vapor Pressure greater than 10.0 pounds per square inch, during the period of 1 May through 15 September of each year. Sampling and testing of gasoline - ethanol blends shall be in accordance with ASTM Method D323-82 or any equivalent method approved by the Office of Air Resources and EPA. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(14), 11.7.2, 11.7.3]

j. The emergency venting of gasoline tank trucks shall be in accordance with the federal DOT specifications for cargo tanks and tank cars authorized to carry hazardous materials. Emergency venting shall not be considered a violation of any term or condition of Section I.A. of this permit. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(15), 11.3.2.4]

k. The methods for determining compliance with any emission standard or any design, equipment, work practice or operational emission standard in this permit, established pursuant to the requirements of 40 CFR 63, shall based on the procedures in 40 CFR 63.6(f)(2)-(3). [40 CFR 63.6(f)(2); 40 CFR 63.6(f)(3)]

l. The permittee shall provide the Office of Air Resources written notification of the actual date Tank 7547 will go into gasoline service in compliance with the requirements of Condition I.B.1.a(2) of this permit no later than 15 days after such date. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(7)]

m. The permittee shall file a completed Air Toxics Operating Permit Application with the Office of Air Resources within 60 days of written

notice from the Director. [22.5.2] **Not Federally Enforceable**

SECTION II. GENERAL CONDITIONS

A. Annual Emissions Fee Payment

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [29.6.8(d)]

B. Permit Renewal and Expiration

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [29.6.8(a),29.4.2(c), 29.4.6]

C. Transfer of Ownership or Operation

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [29.10.1(a)(4)]

D. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(c)(4)]

E. Submissions

1. Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to :

   RIDEM - Office Air Resources
   Compliance Assurance Section
   235 Promenade St. Room 230
   Providence, RI 02908

2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

   USEPA Region I
   Office of Environmental Stewardship
   Director, Air Compliance Program
   Attn: Air Compliance Clerk
   One Congress St. Suite 1100 (SEA)
   Boston, MA 02114 - 2023

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

F. Inspection and Entry

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of:

   a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit; [29.6.7]

   b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

   c. Sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements. [RIGL 23-23-5(7), 29.6.8(f)(1-4), [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(E)(12)]

   Nothing in this condition shall limit the ability of EPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

G. Compliance

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for

   permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [29.6.8(c)(1)]

2. For each unit at the facility for which an applicable requirement becomes effective during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [29.6.5(a)]

3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [29.6.8(c)(2)]

H. Excess Emissions Due to an Emergency

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [29.6.11(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]

2. the permitted facility was at the time being properly operated; [29.6.11(c)(2)]
3. during the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other

requirements in this permit; and [29.6.11(c)(3)]

4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.AA.3 of this permit. [29.6.11(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [29.6.11(d)]

I. Duty to Provide Information

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [29.6.8(c)(5)]

J. Duty to Supplement

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [29.5.4]

K. Reopening for Cause

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions has been extended. [29.6.13(a)]

2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the

emissions standards or other terms or conditions of this permit. [29.6.13(c)]

3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [29.6.13(d)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than 5 days) in the case of an emergency. [29.9.5(b)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [29.9.5(a)]

All permit conditions remain in effect until such time as the Office of Air Resources takes final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [§70.6(a)(6)(iii)]

L. Severability Clause

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [29.6.8(b)]

M. Off-Permit Changes

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [29.11.2(a)]

    a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]

    b. Each change shall comply with all applicable requirements. [29.11.2(b)]

    c. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [29.11.2(a)]

    d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. This notice shall describe each

change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [29.11.2(c)]

e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]

f. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [29.11.2(e)]

2. Changes made pursuant to this provision shall not be exempt from the requirement to obtain a minor source permit pursuant to the requirements of Air Pollution Control Regulation No. 9, if applicable. [29.11.2(a)]

3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

N. Section 502(b)(10) Changes

1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. This class of changes does not include:

   a. changes that would violate applicable requirements; or

   b. changes to federally-enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]

2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [29.11.1(a)(1), 29.11.1(a)(2)]

3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in paragraph 2 if the Office of

Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(b)]

4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and EPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]

5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(d)]

O. Emissions Trading

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [29.6.6(a)]

P. Emission of Air Contaminants Detrimental to Person or Property

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [7.1]

Q. Odors

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [17.1]

2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [17.2]

R. Visible Emissions

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water

   is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

S. Open Fires

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in APC Regulation No. 4, Section 4.3. [4.2]

T. Construction Permits

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1]

U. Sulfur in Fuel

1. Except as may be specified in other provisions of this permit, unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0%, except for use with motor vehicles. [8.2, 8.3.6]

2. Compliance with the sulfur in fuel limitations contained in this section shall be determined by the procedures listed below or by another method deemed equivalent by the Director and USEPA:

    a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains: [29.6.3(b)]

        (1) For distillate fuel oil:

            (a) the name of the supplier

            (b) a statement that the oil complies with the specification for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78 "Standard Specification for Fuel Oils."

        (2) For residual fuel oil:

            (a) The name of the supplier,

            (b) The nitrogen and sulfur content of the oil and the ASTM method used to determine the nitrogen and sulfur content of

the oil,

(c) The location of the oil when the sample was drawn for analysis to determine the nitrogen and sulfur content of the oil, specifically including whether the oil was sampled as delivered to the permittee or whether the sample was drawn from oil in storage at the oil suppliers/refiners facility or another location.

b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [8.4.1(b), 29.6.3(b)]

c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office. [8.4.1(b), 29.6.3(b)]

d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office or designated personnel of the Office of Air Resources and EPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [29.6.3(b)]

e. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

V. Air Pollution Episodes

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency, the permittee shall comply with the applicable requirements contained in APC Regulation No. 10. [10.1]

W. Fugitive Dust

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the director. [5.2]

X. Compliance Certifications

1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [29.6.5(c)(1)]

2. The certification shall describe the following:

   a. the permit term or condition that is the basis of the certification; [29.6.5(c)(3)a]

   b. the current compliance status; [29.6.5(c)(3)b]

   c. whether compliance was continuous or intermittent; [29.6.5(c)(3)c]

   d. the methods used for determining compliance, currently and over the reporting period; and [29.6.5(c)(3)d]

3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. [29.6.5(c)(4)]

4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

Y. Permit Shield

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source in: Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601, 40 CFR 60 Subpart A, K, Kb and XX, 40 CFR 63 Subpart A and R, RI APC Regulations Nos. 1, 4, 5, 7, 8, 9, 10, 11, 13, 14, 16, 17, 22, 28 and 29. [29.6.12(a)(1)]

2. The Office of Air Resources has determined that emission units P001, P002, B001 and T001 - T003, T005 - T008, T1906, T3344, T3620, T7132, T7488, T7489,

T7494, T7521, T7547, T7548, T7549, T7591, T7651, T7652, T7565, T31641 and T31726, are not subject to the following regulations; RI APC Control Regulation Nos. 2, 3, 6, 12, 15, 18, 19, 20, 21, 24, 25, 26, 27, 30, 31, 32, 33, 35, 36, 38, 39, 40 and 41 CFR 60 Subpart Ka. [29.6.12(a)(2)]

3. Nothing in this permit shall alter or affect the following:

   a. the provisions of Section 303 of the Clean Air Act, including the authority of EPA under that Section. [29.6.12(c)(1)]

   b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]

   c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]

   d. the ability of the EPA to obtain information under Section 114. [29.6.12(c)(4)]

4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shield shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [29.6.12(d)]

Z. Recordkeeping

1. The permittee shall, at the request of the Director, maintain records of and provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]

2. All records and supporting information required by this permit shall be maintained at the permittee's 520 Allens Avenue facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made available to representatives of the Office of Air Resources and EPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [14.2.1, 29.6.4(a)(2), 11.3.3.2, 11.2.2.2, Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(i), 40 CFR 60.7(f), 60.116b(a), 60.505(c), 60.505(d), 60.505(f) 63.427(c), 63.428(d)]

3. The permittee shall keep records of required monitoring information that include the following:

a. The date, place and time of sampling or measurements; [29.6.4(a)(1)a]

b. The date(s) analyses were performed; [29.6.4(a)(1)b]

c. The company or entity that performed the analyses; [29.6.4(a)(1)c]

d. The analytical techniques or methods used; [29.6.4(a)(1)d]

e. The results of such analyses; and [29.6.4(a)(1)e]

f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)f]

AA. Reporting

1. The information recorded by the permittee pursuant to Condition II.Z.1 of this Section shall be summarized and reported at least annually to the Director. It shall be submitted within 45 days following the end of the reporting period, which is the calendar year unless otherwise specified. [14.2.2] Information submitted pursuant to this condition will be correlated with applicable emissions and other limitations and will be available for public inspection. [14.2.3]

2. The permittee shall submit reports of any required monitoring for each semi annual period ending 30 June and 31 December of each calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Condition II.X.4. [29.6.4(b)(1)]

3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. Each report must be certified by a responsible official consistent with Condition II.X.4. of this permit. [29.6.4(b)(2)]

4. The Office shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to

   approval of the Office. [Approval Nos. 377, 838, 1066, 1435, 1472-1477 and 1600-1601(C)(4)(h), 40 CFR 60.7(a)(4)]

BB. Credible Evidence

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 52.12(c), 52.33(a)]

CC. Emission Statements

1. The permittee shall submit annually an emission statement which includes information for both VOC and NO_x if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Office of Air Resources within 45 days of the end of the calendar year. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [14.3.1] The permittee shall submit this emission statement in a format approved by the Office of Air Resources. The emission statement shall contain the following information: [14.3.2]

    a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.

    b. The full name, title, signature, date of signature, and telephone number of the certifying individual.

    c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).

    d. Process data pertaining to each process emitting VOC and/or NO_x, including:

        (1) Annual and typical ozone season daily fuel use,
        (2) Annual and typical ozone season daily process rate(s), and
        (3) Process throughput while air pollution control equipment was not in operation.

    e. Operating data pertaining to each process emitting VOC and/or NO_x during the reporting year, including:

        (1) Percentage annual throughput,
        (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
        (3) Average number of days of operation per week during the reporting

year and during a typical ozone season week, and

(4) Weeks of operation during the reporting year and during the peak ozone season.

f. Control equipment information, including:

(1) Specific primary and secondary control equipment for each process emitting VOC and/or NO_x,
(2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
(3) Control equipment downtime during the reporting year and during the peak ozone season.

g. Emissions information, including:

(1) Actual annual and typical ozone season daily emissions of VOC and NO_x for each process. Emissions should be reported in tons per year and in pounds per day.
(2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
(3) The calendar year for which emissions are reported.

h. Any additional information required by the Director to document the facility's emission statements.

DD. Miscellaneous Conditions

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]

2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]

3. Terms not otherwise defined in this permit shall have the meaning given to such terms in 40 CFR 60.2 and 63.2 the Clean Air Act as amended in 1990 or the referenced regulation as applicable.

4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.

SECTION III. SPECIAL CONDITIONS

A. Prevention of Accidental Releases

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.